

***IN THE UNITED STATES DISTRICT COURT***  
**EASTERN DISTRICT OF ARKANSAS**  
**WESTERN DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

vs.

NO. 4:06CR00106 JLH

FRANZ JOSEPH GREY and  
STANLEY CHARLES JOHNSON

DEFENDANTS

**ORDER**

Pending before the Court are the Motions for Continuance of the trial date of October 9, 2007 filed by the government and separate defendant Stanley Charles Johnson.

The Court has fully considered the motions and finds that the interest of justice served by granting the continuance outweighs the best interest of the public and defendants for a speedy trial and the issues herein are such that to deny the motions would deny counsel for the government and the defendants the reasonable time necessary for effective preparation for trial and would deny counsel for defendants the opportunity to develop any and all proper defenses which might be averred in behalf of the defendants.

The Court further finds that no severance has been granted on behalf of co-defendants Franz Joseph Grey or Stanley Charles Johnson, who are jointly indicted on similar evidence from the same event.

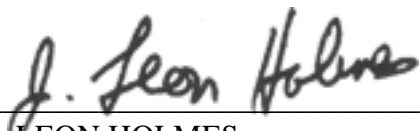
Counsel for separate defendant Stanley Charles Johnson has also requested permission to make the necessary arrangements to travel to Los Angeles, California, for purposes of conferring with defendant and entering a guilty plea via video teleconferencing. The requested is granted. Counsel should confer with the Courtroom Deputy to arrange a date in the future for such a hearing.

IT IS THEREFORE ORDERED that the Motions for Continuance be, and they are hereby, GRANTED. Docket #48 and #49. Therefore, this matter is rescheduled for trial to a jury to begin at 9:15 a.m. the week of **TUESDAY, FEBRUARY 19, 2008**. Counsel are to be present thirty minutes prior to trial. Jury instructions should be submitted to the Court by **February 8, 2008**, on a 3½" diskette in WordPerfect format or electronically to [jlhchambers@ared.uscourts.gov](mailto:jlhchambers@ared.uscourts.gov).

Defense counsel should confer with the government and with one another to determine any *Bruton* problems (see *Bruton v. United States*, 391 U.S. 123 (1968)) no later than **sixty days** prior to the trial date.

IT IS FURTHER ORDERED that the delay occasioned by this continuance shall be excludable under the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) as to Stanley Charles Johnson, and 18 U.S.C. § 3161(h)(7) as to Franz Joseph Grey.

Dated this 12th day of October, 2007.

  
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J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE